

Report Date: February 15, 2007

United States District Court

for the

Eastern District of Washington**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 15 2007

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Patrick J. Broenneke

Case Number: 2:02CR00150-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 03/25/2003

Type of Supervision: Supervised Release

Original Offense: Attempted Possession of Red
Phosphorus, 21 U.S.C. § 841(c)(2)

Date Supervision Commenced: 07/25/2005

Original Sentence: Prison - 41 Months;
TSR - 36 Months

Date Supervision Expires: 07/24/2008

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 15 You shall complete 40 hours of community service work, at the rate of not less than 8 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed no later than 7/15/2007.

CAUSE

On January 24, 2007, Mr. Broenneke was arrested for third degree theft in the County of Spokane, in violation of his standard conditions of supervised release. According to incident report, No.: 07-801059, the defendant walked out of Rosauers Supermarket without paying for a can of lighter fluid, a deli sandwich, and a 12-pack of Pepsi. He was cited and released; the charge is currently pending before Spokane County District Court.

The undersigned officer met with the defendant on January 30, 2007, and discussed the violation behavior. Mr. Broenneke admitted to the action of leaving the supermarket without paying for the items, however, indicated that he was preoccupied, and did not intend to commit theft.

It should be noted that Mr. Broenneke is gainfully employed, and his adjustment to supervision during the last 6 months has been appropriate. He continues to take prescribed medication to assist him in coping with depression, and has met with a mental health counselor.

The undersigned officer believes a term of community service is an appropriate intermediate sanction for the defendant's violation behavior. It is hoped that the actions taken in this matter meet the expectations of the Court. Please advise this officer should Your Honor require a different course of action or a Court appearance by the defendant.

Prob 12B

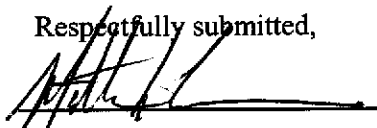
Re: Broenneke, Patrick J

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Respectfully submitted,

by


Matthew L Thompson

U.S. Probation Officer

Date: February 15, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer


Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

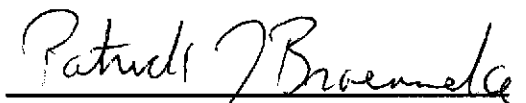
To modify the conditions of supervision as follows:

- 15 You shall complete 40 hours of community service work, at the rate of not less than 8 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed no later than 7/15/2007.

Witness:


Matthew L Thompson
U.S. Probation Officer

Signed:


Patrick J Broenneke
Probationer or Supervised Releasee

February 15, 2007

Date